

**ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA[351]**

**Adopted and Filed**

Pursuant to the authority of Iowa Code section 68B.32A, the Iowa Ethics and Campaign Disclosure Board hereby amends Chapter 6, "Executive Branch Ethics," Iowa Administrative Code.

Iowa Code section 68B.3 prohibits, with certain exceptions, officials or employees from selling goods or services having a value in excess of \$2,000 to a state agency unless the sale is made pursuant to an award or a competitively bid contract. The amendments to rule 351—6.10(68B) reflect that this prohibition would include sales made to the state agency in which the official or employee serves or is employed. The rule already exempts sales made as part of the official's or employee's official state duties, and the amendments do not change that exception.

Notice of Intended Action was published in the Iowa Administrative Bulletin on December 3, 2008, as **ARC 7375B**. No oral or written comments on the amendments were received. The amendments are identical to those published under Notice.

The Board adopted these amendments on February 25, 2009.

These amendments are intended to implement Iowa Code section 68B.3.

These amendments will become effective on April 29, 2009.

The following amendments are adopted.

ITEM 1. Amend rule 351—6.10(68B), introductory paragraph, as follows:

**351—6.10(68B) Prohibition on sales; when public bids required—disclosure of income.** Pursuant to Iowa Code section 68B.3 ~~as amended by 2007 Iowa Acts, Senate File 40, section 1,~~ an official or employee shall not sell, in any one occurrence, goods or services having a value in excess of \$2,000 to a state agency unless the sale is made pursuant to an award or contract let after public notice and competitive bidding. This prohibition includes sales to the state agency in which the official serves or is employed.

ITEM 2. Amend subrule 6.10(1), introductory paragraph, as follows:

**6.10(1) Exceptions.** The prohibition in Iowa Code section 68B.3 ~~as amended by 2007 Iowa Acts, Senate File 40, section 1,~~ and this rule shall not apply to any of the following:

ITEM 3. Amend rule **351—6.10(68B)**, implementation sentence, as follows:

This rule is intended to implement Iowa Code section 68B.3 ~~as amended by 2007 Iowa Acts, Senate File 40, section 1.~~

[Filed 3/3/09, effective 4/29/09]

[Published 3/25/09]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 3/25/09.